

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

SHAUN RUSHING,

Plaintiff,

v.

CITY OF CAPE GIRARDEAU,

Defendant.

No. 1:23-CV-00050-NCC

MEMORANDUM AND ORDER

This matter is before the Court upon review of plaintiff's filing titled as "This is a Lawsuit" and received by the Court on April 5, 2023, which the Court construes as a complaint. The complaint is defective because it has not been drafted on a Court-provided form. *See* E.D. Mo. L.R. 2.06(A) ("All actions brought by self-represented plaintiffs or petitioners should be filed on Court-provided forms."). Additionally, plaintiff has neither paid the filing fee nor filed an application to proceed in the district court without prepaying fees or costs. *See* 28 U.S.C. § 1915(a).

Accordingly,

IT IS HEREBY ORDERED that the Clerk is directed to mail to plaintiff (1) a copy of the Court's prisoner civil rights complaint form and (2) a copy of the application to proceed in district court without prepaying fees or costs.

IT IS FURTHER ORDERED that plaintiff must either pay the \$402 filing fee or submit the application to proceed in district court without prepaying fees or costs within twenty-one (21) days of the date of this Order.

IT IS FURTHER ORDERED that plaintiff must file an amended complaint on the Court-provided form within twenty-one (21) days of the date of this Order.

IT IS FURTHER ORDERED if plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice and without further notice to plaintiff.

Dated this 11th day of April, 2023.

/s/ Noelle C. Collins
NOELLE C. COLLINS
UNITED STATES MAGISTRATE JUDGE